

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

LONDON-SIRE RECORDS INC., et al.,)	Civ. Act. No. 04-12434-NG (LEAD DOCKET NUMBER)
)	
Plaintiffs,)	
)	
v.)	Civ. Act. No. 05-10158-NG (ORIGINAL DOCKET NUMBER)
)	
DOES 1-4,)	
)	
Defendant.)	
)	

**PLAINTIFFS' REQUEST FOR ENTRY OF DEFAULT AGAINST DEFENDANT
RICHARD L. DUBROCK**

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiffs hereby request that the Clerk enter default in this matter against Defendant. A copy of the proposed default by the Clerk is attached as Exhibit A. In support of this request, Plaintiffs state as follows:

1. Plaintiffs VIRGIN RECORDS AMERICA, INC.; MAVERICK RECORDING COMPANY; ARISTA RECORDS LLC; SONY BMG MUSIC ENTERTAINMENT; and UMG RECORDINGS, INC. served the Summons and Complaint on Defendant, RICHARD L. DUBROCK ("Defendant") on May 25, 2005, by abode service, as evidenced by the proof of service on file with this Court.¹ A copy of the proof of service is attached as Exhibit B. Declaration of Nancy M. Cremins ¶ 2. A copy of which is attached hereto as Exhibit C.

2. Defendant has failed to appear or otherwise respond to the Complaint within the time prescribed by the Federal Rules of Civil Procedure. Id. ¶ 5.

¹ The complaint against Richard L. Dubrock was originally filed as VIRGIN RECORDS, et al. v. RICHARD L. DUBROCK, Civil Action No. 05-10158-NG. On April 20, 2005, the Court consolidated that under Civil Action No. 04-12434- NG.

3. Neither Plaintiffs nor the Court have granted Defendant any extensions of time beyond the current date to respond to the Complaint. Id. ¶ 4.

4. Plaintiffs are informed and believe that Defendant is not an infant or incompetent person or in the military service. Id. ¶¶ 6-7.

VIRGIN RECORDS AMERICA, INC.;
MAVERICK RECORDING COMPANY;
ARISTA RECORDS LLC; SONY BMG
MUSIC ENTERTAINMENT; and UMG
RECORDINGS, INC.

By their attorneys,

Dated: September 12, 2006

By: /s/ Nancy M. Cremins
John R. Bauer, BBO# 630742
Nancy M. Cremins, BBO # 658932
ROBINSON & COLE LLP
One Boston Place
Boston, MA 02108-4404
Main Phone: (617) 557-5900
Main Fax: (617) 557-5999

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

LONDON-SIRE RECORDS INC., et al.,)	Civ. Act. No. 04-12434-NG
)	(LEAD DOCKET NUMBER)
Plaintiffs,)	
)	
v.)	Civ. Act. No. 05-10158-NG
)	(ORIGINAL DOCKET NUMBER)
DOES 1-4,)	
)	
Defendant.)	
)	

PLAINTIFFS' REQUEST FOR ENTRY OF DEFAULT AGAINST DEFENDANT
RICHARD L. DUBROCK

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiffs hereby request that the Clerk enter default in this matter against Defendant. A copy of the proposed default by the Clerk is attached as Exhibit A. In support of this request, Plaintiffs state as follows:

1. Plaintiffs VIRGIN RECORDS AMERICA, INC.; MAVERICK RECORDING COMPANY; ARISTA RECORDS LLC; SONY BMG MUSIC ENTERTAINMENT; and UMG RECORDINGS, INC. served the Summons and Complaint on Defendant, RICHARD L. DUBROCK ("Defendant") on May 25, 2005, by abode service, as evidenced by the proof of service on file with this Court.¹ A copy of the proof of service is attached as Exhibit B. Declaration of Nancy M. Cremins ¶ 2. A copy of which is attached hereto as Exhibit C.

2. Defendant has failed to appear or otherwise respond to the Complaint within the time prescribed by the Federal Rules of Civil Procedure. *Id.* ¶ 5.

¹ The complaint against Richard L. Dubrock was originally filed as VIRGIN RECORDS, et al. v. RICHARD L. DUBROCK, Civil Action No. 05-10158-NG. On April 20, 2005, the Court consolidated that under Civil Action No. 04-12434- NG.

3. Neither Plaintiffs nor the Court have granted Defendant any extensions of time beyond the current date to respond to the Complaint. Id. ¶ 4.

4. Plaintiffs are informed and believe that Defendant is not an infant or incompetent person or in the military service. Id. ¶¶ 6-7.

VIRGIN RECORDS AMERICA, INC.;
MAVERICK RECORDING COMPANY;
ARISTA RECORDS LLC; SONY BMG
MUSIC ENTERTAINMENT; and UMG
RECORDINGS, INC.

By their attorneys,

Dated: September 12, 2006

By: /s/ Nancy M. Cremins
John R. Bauer, BBO# 630742
Nancy M. Cremins, BBO # 658932
ROBINSON & COLE LLP
One Boston Place
Boston, MA 02108-4404
Main Phone: (617) 557-5900
Main Fax: (617) 557-5999

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

LONDON-SIRE RECORDS INC., et al.,)	Civ. Act. No. 04-12434-NG
)	(LEAD DOCKET NUMBER)
Plaintiffs,)	
)	
v.)	Civ. Act. No. 05-10158-NG
)	(ORIGINAL DOCKET NUMBER)
DOES 1-4,)	
)	
Defendant.)	
)	

DECLARATION OF NANCY M. CREMINS
IN SUPPORT OF PLAINTIFFS' REQUEST FOR ENTRY OF
DEFAULT AGAINST DEFENDANT RICHARD L. DUBROCK

I, NANCY M. CREMINS, declare:

1. I am an attorney licensed to practice before the Courts of the Commonwealth of Massachusetts and this United States District Court. I am one of the attorneys for Plaintiffs in the above-captioned matter. Unless otherwise stated, I have personal knowledge of the following facts.

2. On January 27, 2005, Plaintiffs filed the Complaint in this case against Defendant.¹ Attached to the Request for Entry of Default as Exhibit A is a true and correct copy of the proof of service on file with the Court, reflecting that Defendant was served with the Summons and Complaint on May 25, 2005, by abode service.

3. More than 20 days have elapsed since the date on which service of the Summons and Complaint was effective.

¹ The complaint against Richard L. Dubrock was originally filed as VIRGIN RECORDS, et al. v. RICHARD L. DUBROCK, Civil Action No. 05-10158-NG. On April 20, 2005, the Court consolidated that matter under Civil Action No. 04-12434- NG.

4. Neither Plaintiffs nor the Court have granted Defendant any extension of time to respond to the Complaint.

5. Defendant has failed to answer or otherwise respond to the Complaint, or serve a copy of any answer or other response upon Plaintiffs' attorneys of record.

6. I am informed and believe that Defendant is not an infant or incompetent person.

7. A search for Defendant's name was conducted through the Defense Manpower Data Center, Servicemembers Civil Relief Act database. That search revealed no evidence that Defendant is in the military service.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 12, 2006 at Boston, Massachusetts.

/s/ Nancy M. Cremins
NANCY M. CREMINS

AO 440 Summons in a Civil Action

United States District Court
DISTRICT OF MASSACHUSETTS

SUMMONS IN A CIVIL CASE

VIRGIN RECORDS AMERICA, INC., a California corporation; MAVERICK RECORDING COMPANY, a California joint venture; ARISTA RECORDS LLC, a Delaware limited liability company; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; and UMG RECORDINGS, INC., a Delaware corporation,

CASE NUMBER:

05 - 10158 NG

V.

RICHARD L. DUBROCK

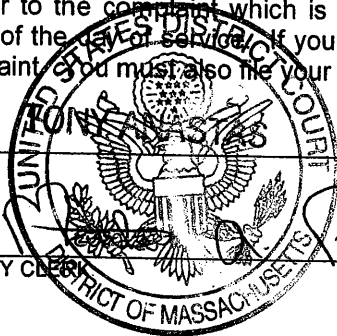
TO:
RICHARD L. DUBROCK
6 A Greenwood Ave.
Woburn, MA 01801

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFFS' ATTORNEY

COLIN J. ZICK
GABRIEL M. HELMER
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210-2600
PHONE: (617) 832-1000
FAX: (617) 832-7000

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint, and you must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK



(BY) DEPUTY CLERK

DATE

1/27/2005

80248

AO 440 Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted _____
- ☐ Other (specify) _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

Signature of Server

Address of Server

¹ As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
District of Massachusetts
Case No. 05-CV-10158 NG

Virgin Records America, Inc., et al.,

Plaintiffs,

-v-

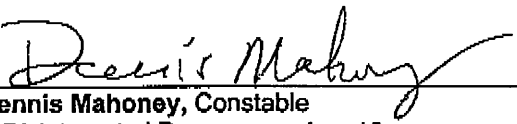
RETURN OF SERVICE

Richard L. Dubrock,

Defendant.

I hereby certify and return that today, May 25, 2005, at 10:45 AM, I served a true and attested copy of the within Summons together with a copy of the Complaint, Civil Action Cover Sheet, Corporate Disclosure, Local Category Sheet and Cover Letter to Defendant in this action upon the within named **Richard L. Dubrock**, by leaving said copies at his last and usual place of abode, to wit: 6A Greenwood Ave., Woburn, MA 01801. Furthermore, later this same day I mailed First Class - Postage Pre-paid, additional true and attested copies to the defendant at this same address. Service was made in this manner following unsuccessful attempts at personal service on May 24, 2005 and May 25, 2005.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing information is true and correct. Executed on May 25, 2005.


Dennis Mahoney, Constable
& Disinterested Person over Age 18.

Service & Travel:\$65.00

Butler and Witten
Boston, MA
(617) 325-6455